

TWENTY-FOURTH DAY

(Wednesday, February 25, 1959)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

O God, Our Father, all we like sheep have gone astray, we have turned everyone to his own way. Be our good shepherd now, for we need Thy tender care. Forgive us our sins, though they be as scarlet, make them white like the snow, and lead us to be at home with Thee. We humbly pray in Christ's name. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Report of Standing Committee

Senator Weinert submitted the following report:

Austin, Texas,
February 25, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred S. B. No. 208, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senate Resolution 124

Senator Krueger offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate County Judge Dorman Nickels, District Attorney R. A. Bassett, County Attorney Lloyd Rust and County Clerk Delfin Marek of Wharton and Fort Bend Counties; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Krueger by unanimous consent presented the distinguished guests to the Members of the Senate.

Senate Concurrent Resolution 21

Senator Hardeman offered the following resolution:

S. C. R. No. 21, Authorizing Board of Regents of the University of Texas to construct certain equipment at McDonald Observatory at Mount Locke.

Whereas, The Board of Regents of The University of Texas desires to add to the facilities of the McDonald Observatory at Mount Locke, an organized research and graduate teaching unit of the Main University, to facilitate the establishment and operation of a joint astronomy program between the University of Chicago and The University of Texas; and

Whereas, These additional facilities are urgently needed to meet the immediate demands for increased research in astronomy and the training of astronomers as an essential part of the Nation's space program; and

Whereas, The location of the McDonald Observatory provides natural advantages which make it one of the most desirable locations in the northern hemisphere for the development of both present and projected astronomical methods; and

Whereas, There is an urgent present need for an addition to the Observatory, to include laboratory,

library and shop facilities, a permanent dome for the 36-inch telescope, a dormitory-boarding house, a garage, and necessary development of grounds and roads; and

Whereas, The amount to be expended for these improvements will not exceed the sum of Three Hundred Thousand Dollars (\$300,000) to be paid wholly or in part from the Available University Fund, gifts, grants and contract funds: Now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the Board of Regents of The University of Texas be authorized to construct and equip the improvements described above at the McDonald Observatory at Mount Locke.

The resolution was read and was referred to the Committee on State Affairs.

Senate Resolution 125

Senator Herring offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the two Fifth Grade Classes of Highland Park Elementary School in Austin, Texas, accompanied by their teachers, Mrs. Ruth Ball and Mrs. DeEtta Sayers; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Herring by unanimous consent presented the students and Mrs. Ball and Mrs. Sayers to the Members of the Senate.

Senate Resolution 126

Senator Reagan offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the seventh and eighth and ninth grades from Coggin Memorial School of Corpus Christi, accompanied by their teacher, Mrs. Carolyn Stewart; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Reagan by unanimous consent presented the students and Mrs. Stewart to the Members of the Senate.

Senate Resolution 127

Senator Secrest offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, 34 students of the 8th Grade of Holland Public School, Holland, Bell County, Texas, accompanied by their teacher or sponsor, Mr. Mayfield; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Secrest by unanimous consent presented the students and Mr. Mayfield to the Members of the Senate.

Message from the House

Hall of the House of Representatives
Austin, Texas,
February 25, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 135, An Act regulating the movement of livestock out of livestock markets in order to prevent the dissemination of infectious, contagious and communicable livestock diseases; providing a penalty for violation; and declaring an emergency.

H. C. R. No. 39, Congratulating Mr. and Mrs. Walter Malec on their Fiftieth Wedding Anniversary.

H. J. R. No. 6, Proposing an Amendment to Section 11, Article XVI of the Constitution of the State of Texas, so as to give the Legislature authority to classify loans and lenders, license and regulate lenders, define interest, set maximum rates of interest, and provide for a maximum rate of interest of ten per centum (10%) per annum in the absence of legislation setting maximum rates of interest; providing for the necessary election and the form of the ballot; and providing for the necessary proclamation and publication.

S. C. R. No. 20, In Memory on Mr. Hubert M. Harrison.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Bills Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills.

H. B. No. 45, A bill to be entitled "An Act amending Section 12 of Chapter 57, Acts of the 55th Legislature, Regular Session, 1957 (Section 12 of Article 2351a-6, Vernon's Texas Civil Statutes), relating to Rural Fire Prevention Districts, to provide that the County Tax Assessor-Collector shall be the Assessor-Collector for the District; and declaring an emergency."

H. B. No. 118, A bill to be entitled "An Act establishing the Nolan County Juvenile Board; and declaring an emergency."

Senate Concurrent Resolution 22

Senator Colson offered the following resolution:

S. C. R. No. 22, Relating to Texas Independence Day Celebration at Washington-on-the-Brazos, March 2, 1959.

Whereas, On March 2, 1836 a band of courageous and freedom-loving Texans gathered at the famous town of Washington-on-the-Brazos to draft and adopt a document of historic importance; and

Whereas, The Declaration of Independence signed and executed that day marked the concerted beginning of the successful efforts of the heroes of Texas to throw off the yoke of the dictator, Santa Anna, who had enslaved the people of all Mexico, including the area of Texas; and

Whereas, This action 123 years ago, although followed by the tragedy of March 6 when the Alamo fell, culminated in final victory at the Battle of San Jacinto on April 21; and

Whereas, The Texas Independence Day Organization wishes to convey to the members of the Legislature and their families a cordial invitation to attend the program to be held at 2:30 p.m. on March 2, 1959 at Washington-on-the-Brazos; and

Whereas, Nine of the signers of the Texas Declaration of Independence came from Tennessee, as well as a former governor, the illustrious Sam Houston, who became the commander-in-chief of the army which won independence for our State and later became President of the Republic of Texas; and

Whereas, Since the State of Tennessee played an important part in the birth of Texas, it is particularly significant that the Honorable Frank Clements, former Governor of Tennessee, is to be the distinguished guest speaker on this occasion; and

Whereas, Texas' Governor Price Daniel and his charming wife, and other top state officials, as well as several thousand patriotic Texans, also will be in attendance; and

Whereas, Another highlight of the event, which this year is being sponsored by the Grimes County Chamber of Commerce, will be a concert by the famous Sidewinder Band of the Navasota High School; and

Whereas, It is well for us to remember the deeds of the early founders of our Texas government and so refresh ourselves for the problems of today; now, therefore, be it

Resolved, By the Senate of the Fifty-Sixth Legislature of Texas, the House of Representatives concurring, that congratulations be extended to those who are sponsoring the day-long celebration in observance of this historic day and that appreciation be expressed for the invitation to attend; and, be it further

Resolved, That copies of this Resolution, properly endorsed and bearing the official seal of the Senate, be sent to the host organizations.

The resolution was read.

On motion of Senator Colson and by unanimous consent the resolution was considered immediately and was adopted.

Senate Resolution 128

Senator Crump offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the 5th grade classes of San Saba Grammar School, San Saba County, Texas, accompanied by Mesdames Baker, Walker, Lively, Millican, Daniels, and their teachers, Mrs. Helen Terry and Mrs. Gladys Kuykendall; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Crump by unanimous consent presented the students, sponsors

and teachers to the Members of the Senate.

Senate Bills on First Reading

By unanimous consent, the following bills were introduced, read first time and referred to the committee indicated:

By Senator Martin:

S. B. No. 225, A bill to be entitled "An Act relating to allowances for traveling expenses and automobile depreciation of members of the Commissioners Court in certain Counties of this State; amending Sections 1, 2, and 3 of Chapter 456, Acts of the 52nd Legislature, 1951; repealing Sections 3a and 3b; and declaring an emergency."

To the Committee on State Affairs.

By Senator Secrest:

S. B. No. 226, A bill to be entitled "An Act amending Senate Bill No. 456, Chapter 315, Acts of the 55th Legislature, Regular Session, 1957 (Article 2876k, V.T.C.S.), so as to authorize the State Board of Education to acquire, purchase and contract for books published in Large Type as well as Braille recommended as suitable for use as textbooks for the education of the blind scholastics in the public school systems of Texas; and declaring an emergency."

To the Committee on Education.

By Senator Moore:

S. B. No. 227, A bill to be entitled "An Act to amend Article 2328-b of the Revised Civil Statutes of Texas, entitled 'Enforcement of Support,' to provide for the extension of the act to cases where the petitioner and respondent are residents of or domiciled in different counties of the state; providing for transfer of proceedings in certain case from one district court where previous order had been entered to the responding county under this act and for jurisdiction in the responding county; providing that remedies of this act are in addition to others except in certain instances; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Bradshaw, Fly and Roberts:

S. B. No. 228, A bill to be entitled "An Act directing the State Board of Medical Examiners to issue li-

censes to physicians practicing in state hospitals under the jurisdiction of the Board of Texas State Hospitals and Special Schools, stipulating an effective date of the act, repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

To the Committee on Public Health.

By Senator Rogers:

S. B. No. 229, A bill to be entitled "An Act prohibiting discrimination in employment on account of membership in or the obligations of membership in any Reserve component of the Armed Forces of the United States; declaring certain contracts invalid; enacted or renewed after the effective date of this Act; defining terms; providing for penalties, damages, injunctive relief and other enforcement procedures incident thereto; providing severability; and declaring an emergency."

To the Committee on Labor and Management Relations.

By Senator Rogers:

S. B. No. 230, A bill to be entitled "An Act prohibiting discrimination in employment on account of physical disability; declaring certain contracts invalid enacted or renewed after the effective date of this Act; providing for penalties and injunctive relief; providing for severability; and declaring an emergency."

To the Committee on Labor and Management Relations.

House Concurrent Resolution 39 on Second Reading

On motion of Senator Krueger and by unanimous consent, the President laid before the Senate on its second reading the following resolution:

H. C. R. No. 39, Congratulating Mr. and Mrs. Walter Malec on their 50th Wedding Anniversary.

The resolution was read.

On motion of Senator Fly and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution as amended was then adopted.

Senate Resolution 129

Senator Ratliff offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Senior government class of Blackwell Rural High School of Blackwell, Texas, in Nolan County, Texas, accompanied by their teachers; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Ratliff by unanimous consent presented the students and teachers to the Members of the Senate.

Message from the Governor

The following message received from the Governor today was read and was referred to the Committee on Nominations:

Austin, Texas,
February 25, 1959.

To the Senate of the Fifty-sixth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Branch Pilots for the Galveston Bar and Houston Ship Channel: For a two-year term to expire January 7, 1961: Charles W. Barfield of Houston, Harris County. For two-year terms to expire February 4, 1961: J. Everett McNary of Houston, Harris County; D. O. Duncan of Houston, Harris County; M. E. Palmer of Houston, Harris County.

Respectfully submitted,
PRICE DANIEL,
Governor of Texas.

Senate Bill 108 with House Amendments

Senator Willis called S. B. No. 108

from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Willis moved that the Senate concur in the House amendments.

The motion prevailed.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the motion to concur in House amendments to S. B. No. 108.

House Bill 66 on Second Reading

Senator Moffett moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 66 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hudson

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 66, Prohibiting the manufacture, possession, distribution, sale or use of live hog cholera virus vaccine in the State of Texas; and declaring an emergency.

The bill was read second time.

Senator Moffett offered the following amendment to the bill:

Amend H. B. 66 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. It shall be unlawful for any person, firm, partnership, corporation, or association to sell or offer for sale, barter, exchange, or give away unattenuated hog cholera virus in Texas.

"Sec. 2. Unattenuated hog cholera virus means a virus which has not been modified or inactivated.

"Sec. 3. Any person, firm, partnership, corporation or association violating this Act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00).

"Sec. 4. Nothing in this Act shall prohibit the acquisition, propagation, manufacture, or use of unattenuated hog cholera virus by and on the licensed premises of firms operating under U. S. Veterinary License issued by the Secretary of Agriculture of the United States. Nothing in this Act shall prohibit the manufacture of unattenuated hog cholera virus by firms operating under U. S. Veterinary License for sale or distribution in states where use of unattenuated hog cholera virus is permitted.

"Sec. 5. The fact that the disease of swine known as hog cholera may be disseminated through the use of unattenuated virus to the detriment of the swine industry, and to the further fact that hog cholera needs to be controlled for the economic prosperity of the swine producers of Texas, and such prohibition of the use of unattenuated hog cholera virus is necessary for the prevention of the spread of this disease creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted."

The amendment was read.

Senator Dies offered the following amendment to the pending amendment:

Amend Amendment No. 1 to H. B. 66 by adding to Section 4 the following:

"Provided however, recognized colleges, universities and schools and laboratories engaged in research activities may keep on hand amounts of the vaccine for purely experimental and research activities."

The amendment to the amendment was adopted.

The amendment as amended was then adopted.

On motion of Senator Moffett and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 66 on Third Reading

Senator Moffett moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 66 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Message from the House

Hall of the House of Representatives
Austin, Texas,
February 25, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House

to inform the Senate that the House has passed the following:

H. B. No. 111, An Act amending Section 1a, Acts of the Regular Session of the Forty-sixth Legislature, Special Laws, page 831, as added to said Act by Acts Chapter 281, page 445, as amended by Acts of the Forty-ninth Legislature, 1945, Chapter 110, page 158, as amended by Acts of the Fiftieth Legislature, 1947, Chapter 160, page 264, as amended by Acts of the Regular Session of the Fifty-first Legislature, 1949, Chapter 16, page 14, so as to make it lawful to capture, shoot or kill collared peccary or javelina at any time in Upton County and to prohibit the possession for sale, offer for sale, or sale thereof in said County; prescribing a penalty for violation; repealing laws or parts of laws in conflict; and declaring an emergency.

S. B. No. 16, An Act amending Chapter 66, Acts of the 54th Legislature (being the law creating West Central Texas Municipal Water District) by adding a provision with reference to annexation of additional territory; repealing Section 22 of said Chapter; making a further provision with reference to the clerical error of omitting the word "water" from the name of the District specified in said Chapter; and declaring an emergency.

S. B. No. 34, An Act making it unlawful except under the provisions of this Act, for any person to hunt, take, kill or attempt to kill, or possess, any game bird or game animal in Tarrant County at any time; etc.; and declaring an emergency.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 130

Senator Fuller offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Miss Vivian Goodwin and Miss Margaret Goodwin, accompanied by their mother, Mrs. Joe Goodwin, of Beaumont; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be

recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Fuller by unanimous consent presented the guests, accompanied by Mrs. Fuller to the Members of the Senate.

House Bill 113 on Second Reading

Senator Herring moved that Senate Rules 116 and 13 and Section 5 of Article III of the State Constitution be suspended and that H. B. No. 113 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—30

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Present—Not Voting

Roberts

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 113, Amending Sections 1 and 3 of Senate Bill No. 5, Acts of the Forty-fourth Legislature, Second Called Session, 1935, Chapter 465, page 1762, as amended, codified in Vernon's as Section 1 and 3 of Article 3912e, Vernon's Civil Statutes, so as to permit the collection of fees and commissions by County Officers from the State or County for services rendered by such County Officers in connection with the acquisition of rights of way for public roads or highways, and in eminent domain proceedings, providing that such fees in Counties where the County Officers are compensated on a salary basis shall be

deposited in the Officers' Salary Fund of the County; repealing all laws in conflict; and declaring an emergency."

The bill was read second time was passed to third reading.

House Bill 113 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 113 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 212 on Second Reading

Senator Baker moved that Senate Rules 116 and 13 and Section 5 of

Article III of the State Constitution be suspended and that H. B. No. 212 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 212, A bill to be entitled "An Act applying to all independent school districts created by Special Act of the Legislature, operating under the General Laws, having as many as Eighteen Hundred Thirty-One (1831) and not more than Eighteen Hundred Thirty-Five (1835) scholastics, according to the last official scholastic census, and wherein there is situated a city having a population of as many as Forty-Four Hundred Twenty-Seven (4427) and not more than Forty-Four Hundred Thirty (4430), according to the last preceding federal census, and having a Board of seven (7) Trustees whose terms of office are for three (3) years; providing that in all such school districts the trustees thereof shall be voted upon and elected separately for positions on said Board of Trustees; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 212 on Third Reading

Senator Baker moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that H. B. No. 212 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Executive Session

On motion of Senator Reagan and by unanimous consent, the Senate agreed to hold an Executive Session at 11:30 o'clock a.m. today.

Accordingly, the President directed all those not entitled to attend the executive session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the executive session the Secretary of the Senate informed the Journal Clerk that the

Senate had confirmed the following nominations of the Governor:

To be members of the Board of Directors of Texas Agricultural and Mechanical College, for six-year terms to expire January 10, 1965: Sterling C. Evans of Cameron, Milam County; John W. Newton of Beaumont, Jefferson County.

In Legislative Session

The President called the Senate to order as in Legislative Session at 11:53 o'clock a.m. today.

Reports of Standing Committees

Senator Hazlewood by unanimous consent submitted the following report:

Austin, Texas,
February 24, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred H. B. No. 85, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Senator Colson by unanimous consent submitted the following reports:

Austin, Texas,
February 25, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred S. B. No. 125, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

COLSON, Chairman.

Austin, Texas,
February 25, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred S. B. No. 88, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass

but that the Committee Substitute adopted in lieu thereof do pass and be printed.

COLSON, Chairman.

C. S. S. B. No. 88 was read the first time.

Message from the House

Hall of the House of Representatives
Austin, Texas,
February 25, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 51, An Act creating a Conservation and Reclamation District under Article XVI, Section 59, of the Constitution comprising certain territory contained within Wichita County, to be known as the "Wichita County Water Control and Improvement District No. 6," for the purpose of providing or acquiring a source or sources of water supply for municipal, domestic, industrial, and mining uses and processing and distributing the same and for the purpose of providing for acquiring a sanitary sewer system; etc., and declaring an emergency.

(With amendment.)

H. B. No. 23, An Act amending Chapter 276, Acts of the Forty-fifth Legislature, 1937, as subsequently amended, (Codified under Article 8280-119, Vernon's Civil Statutes of the State of Texas), to provide that that the San Antonio River Authority may levy, assess and collect taxes for the carrying out of its powers, rights, privileges and functions; providing for an election in the District to approve such taxation; establishing the rate of taxation; providing for the assessment and collection of taxes so approved; providing for the manner of spending the tax revenues collected; authorizing the issuance of bonds to be secured by a pledge of such taxes; rewording Sections w and 22 of said Act to comply harmoniously with the above stated amendments; preventing impairment of certain acts of, by and for the District; providing for the letting and bidding of contracts; providing a saving clause; providing that this Act shall prevail

over conflicting laws; and declaring an emergency.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 131

Senator Rogers offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Messrs. V. C. Durrett, David Hudgins, Del E. Wells, and Ott E. Bevers of Lakeview, Texas, and C. L. Benson of Clarendon, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate and extended the privileges of the floor for the day.

The resolution was read and was adopted.

Senator Rogers by unanimous consent presented the distinguished guests to the Members of the Senate.

Adjournment

On motion of Senator Hardeman the Senate at 11:57 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

TWENTY-FIFTH DAY

(Thursday, February 26, 1959)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Willis
Kazen	Wood
Krueger	

Absent—Excused

Owen Weinert

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

Holy Father, we bring before Thee our problems and our task, not to escape them, but praying for inner strength to carry heavy burdens. Give us eyes to see the truth, and the will to follow it fearlessly; and may we relax in the knowledge that Thou art our refuge and our strength through Jesus Christ, our Lord. Amen.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Owen was granted leave of absence for today on account of important business on motion of Senator Hudson.

Senator Weinert was granted leave of absence for today on account of important business on motion of Senator Lane.

Reports of Standing Committees

Senator Hardeman submitted the following reports:

Austin, Texas,
February 26, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 4, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass and be not printed, but that Committee Substitute for S. B. No. 4 be reported to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

C. S. S. B. No. 4 was read the first time.

Austin, Texas,
February 26, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B.